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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,087	11/17/2003	Richard Dobrowolski	A01588 US	7008

21898 7590 01/24/2005
ROHM AND HAAS COMPANY
PATENT DEPARTMENT
100 INDEPENDENCE MALL WEST
PHILADELPHIA, PA 19106-2399

EXAMINER

WYROZEBSKI LEE, KATARZYNA I

ART UNIT	PAPER NUMBER
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1714

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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Application No. 10715087	Filing Date 11/17/03	Applicant(s) DOBROWOLSKI, RICHARD	Attorney Docket No. A01588 US	
ROHM AND HAAS COMPANY PATENT DEPARTMENT 100 INDEPENDENCE MALL WEST PHILADELPHIA, PA 19106-2399			Examiner Katarzyna Wyrozebski	
			Art Unit 1714	Paper Number

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1. ☒ The communication filed 10/26/2004 is informal/non-responsive for the reason(s) checked below and should be corrected.
APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.
- a. ☐ The amendment to claim(s) _____, filed _____, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions complying with the rule is required.
- b. ☐ The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. ☐ The paper is signed by _____, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
- d. ☐ The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
- e. ☒ Other see attachment
2. ☐ In accordance with applicant's request, **THE PERIOD OF RESPONSE FROM THE ACTION DATED _____ IS EXTENDED TO RUN _____ MONTH(S).**
No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)
3. ☐ Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4. ☐ Other

Attachment to the Non-responsive Amendment

The examiner appreciates applicants' timely response. This action however, is non-responsive for following reasons:

Applicants have amended their inventorship, to add inventors from Owens Corning. However, Mr. Dobrowolski, inventor from Rohm and Hass is not listed as inventor in parent application. This in turn renders inventors as different inventive entity. It is definitely an issue that will have to be resolved at some point by the office of petitions. Until such time, the examiner will have to maintain the 102 (f) rejection. Applicant's request for interference is noted and such will occur when at least one application contains allowable subject matter.

With respect to the applicants' arguments, it is evident that most of those argument are oriented towards Owens-Corning, their responses and facts relied on rather than to the prior art applied against present claims. Applicant's analysis of phenolic binder, although insightful do not address issues at hand, i.e., the prior art rejections. Applicant's comments on Owen Corning's patentability over the prior art of Reck as well as bullets a-e should not be an issue in the applicant's arguments, since it is separate application.

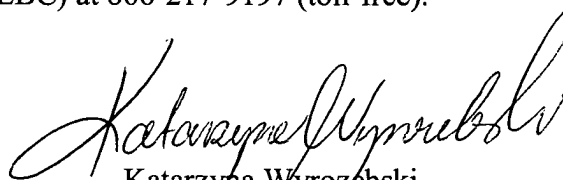
In summary, the applicants are requested to provide proper arguments against prior art applied in the invention at hand.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katarzyna Wyrozebski whose telephone number is (571) 272-1127. The examiner can normally be reached on Mon-Thurs 6:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Katarzyna Wyrozebski
Primary Examiner
Art Unit 1714

January 19, 2005